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SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

February 5, 2019

System No. 4900634

Patrick Doherty  
Huckleberry Mutual Water Company  
P.O. Box 524  
Cazadero, CA 95421

### **CITATION NO. 02\_18\_19C\_007 LEAD AND COPPER MONITORING AND REPORTING VIOLATION FOR JULY – DECEMBER 2018**

Enclosed is Citation No. 02\_18\_19C\_007 (hereinafter "Citation"), issued to the Huckleberry Mutual Water Company (hereinafter "System"), public water system. Please note that there are legally enforceable deadlines associated with this Citation.

The System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board"), hourly rate for the time spent on issuing this Citation. California Health and Safety Code, (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately one hour on enforcement activities associated with this violation.

The System will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued by the Deputy Director of the Division of Drinking Water under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (CHSC, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

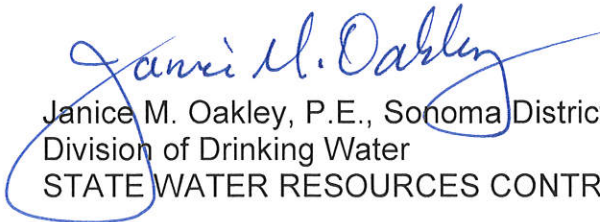
50 D Street, Suite 200, Santa Rosa, CA 95404 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

Information regarding filing petitions may be found at:

[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions regarding this matter, please contact George Chien of my staff at (707) 576-2971.

Sincerely,



Janice M. Oakley, P.E., Sonoma District Engineer  
Division of Drinking Water  
STATE WATER RESOURCES CONTROL BOARD

CC: Fred Luna, Operator, 40 Magic Mountain Road, Cazadero, CA 95421  
Leslye Choate, Sonoma County Environmental Health Department  
Nathan Quarles, Sonoma County Permit and Resources Department

Enclosures

Certified Mail No. 7016 0910 0001 2050 1164

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**Name of Public Water System:** Huckleberry Mutual Water Company

**Water System No:** 4900634

**Attention:** Patrick Doherty

P.O. Box 524

Cazadero, CA 95421

**Issued:** February 5, 2019

CITATION FOR NONCOMPLIANCE WITH  
CALIFORNIA CODE OF REGULATIONS, TITLE 22,  
SECTIONS 64675 AND 64690.10

LEAD AND COPPER MONITORING AND REPORTING VIOLATION  
JULY – DECEMBER 2018

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12,

Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Water Board, acting by and through its Division of Drinking Water (hereinafter "Division"), and the Deputy Director for the Division, hereby issues Citation No. 02\_18\_19C\_007 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the Huckleberry Mutual Water Company (hereinafter "System"), for violation of California Code of Regulations (hereinafter "CCR"), Title 22, Sections 64675 and 64690.10.

A copy of the applicable statutes and regulations are included in Appendix 1, which is attached hereto and incorporated by reference.

#### STATEMENT OF FACTS

The System is classified as a community public water system with a population of 45, serving 29 connections. The System operates under Domestic Water Supply Permit No. 02-18-12P-4900634 issued by the State Water Board on February 24, 2012 and Permit No. 02-18-12P-4900634 Amendment No. 1 issued by the State Water Board on December 18, 2017.

The System is required to monitor lead and copper in the distribution system in accordance with Chapter 17.5, Title 22 of the CCR. The number of tap sample sites required for the System is based on the population served and whether the System is on a standard or reduced monitoring frequency. Due to copper action level exceedance in May 2018, the System is required to conduct standard lead and copper monitoring every six months. The monitoring periods are from January – June and July – December. In the July 18, 2018 letter, the Division reminded the System to conduct standard lead and copper monitoring by collecting five lead and copper tap

1 samples in November 2018. The State Water Board has not received any data to date  
2 to indicate that the monitoring during the monitoring period July – December 2018 was  
3 completed.

4  
5 CCR, Title 22, Section 64690.10, states that the analytical results must be reported to  
6 the State Water Board within the first 10 days after the end of each period during which  
7 monitoring was conducted. The Lead and Copper Rule Reporting Form should have  
8 been completed and submitted to the State Water Board no later than January 10,  
9 2019.

#### 12 DETERMINATION

13 The System was required to collect five lead and copper samples during July –  
14 December 2018. The System failed to collect the required number of lead and copper  
15 tap samples for July – December 2018. The System was required to report the  
16 analytical results no later than January 10, 2019. The System failed to report the  
17 analytical results to the State Water Board. Therefore, the State Water Board has  
18 determined that the System has failed to comply with CCR, Title 22, Sections 64675  
19 and 64690.10.

#### 21 DIRECTIVES

22 The System is hereby directed to take the following actions:

- 23  
24 1. Comply with CCR, Title 22, Section 64675 in all future monitoring periods.
- 25  
26 2. The System shall collect five lead and copper tap samples in accordance with  
27 CCR, Title 22, Sections 64675 and 64675.5. The Division recommends the  
28 System collect **five** lead and copper tap samples in **May 2019**.



3. The System shall report the analytical results in accordance with CCR, Title 22, Section 64690.10. Appendix 3: Lead and Copper Rule Reporting Form may be used to submit the results of this monitoring to the State Water Board. The System shall submit the following documents to the State Water Board no later than **July 10, 2019**: a completed Lead and Copper Rule Reporting Form; a copy of the lab report; a completed Proof of Consumer Notification; and a copy of the notice delivered to the customers whose tap was used to complete the lead and copper sampling.
4. The System shall complete preliminary corrosion control study evaluation in accordance with CCR, Title 22, Section 64673. The System shall conduct two consecutive quarters of water quality parameter (WQP) monitoring at the entry point to the distribution system. The WQP monitoring must consist of (1) field pH (2) alkalinity (3) calcium (4) conductivity, (5) field temperature, and (6) total dissolved solids. The System must complete collecting the first quarterly WQP samples by **February 28, 2019**, and the complete collecting the second quarterly WQP samples by **May 31, 2019**. Appendix 4: Initial Water Quality Parameter Monitoring and Entry Point Lead and Copper Sample Data Sheet may be used to submit the WQP results to the State Water Board. The System shall submit the first quarterly WQP results with a copy of the lab report to the State Water Board by **March 10, 2019**, and submit the second quarterly WQP results with a copy of the lab report to the State Water Board by **June 10, 2019**.
5. The System shall collect one sample for lead and copper at the entry point to the distribution system by **February 28, 2019**. Appendix 4: Initial Water Quality Parameter Monitoring and Entry Point Lead and Copper Sample Data

Sheet may be used to submit the WQP results to the State Water Board. The System shall submit the results with a copy of the lab report to the State Water Board by **March 10, 2019**.

6. On or before **July 1, 2019**, notify all persons served by the System of the violation of CCR, Title 22, Sections 64675 and 64690.10, in conformance with Sections 64463.7 and 64465. Copies of Sections 64463.7 and 64465 are included in Appendix 1. A Notification Template, "*Monitoring Violations – Annual Notice*", is available at the following web site: [https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/Notices.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Notices.html). The aforementioned notification template shall be used to fulfill this Directive, unless otherwise approved by the State Water Board.

Section 64463.7 allows the System to utilize the 2018 Consumer Confidence Report to meet the requirement of notification within a one-year period. In addition to the required information for the Consumer Confidence Report, the System shall include the following language in the Consumer Confidence Report: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During June – September 2018, we did not complete all monitoring for lead and copper monitoring, and therefore, cannot be sure of the quality of your drinking water during that time".

The System shall include this violation in the 2018 Consumer Confidence Report in accordance with CCR, Title 22, Section 64481(g)(1), and submit a completed Consumer Confidence Report Certification form to the State Water Board by **October 1, 2019**.

7. Complete Appendix 2: Compliance Certification Form. Submit it together with a copy of the public notification required by Directive 4 to the State Water Board on or before **October 10, 2019**.

All submittals required by this Citation shall be electronically submitted to the State Water Board at the following address. The subject line for all electronic submittals corresponding to this Citation shall include the following information: Water System name and number, citation number and title of the document being submitted.

Janice M. Oakley, P.E., Sonoma District Engineer

[dwpdist18@waterboards.ca.gov](mailto:dwpdist18@waterboards.ca.gov)

The State Water Board reserves the right to make such modifications to this Citation as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

Nothing in this Citation relieves the System of its obligation to meet the requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270, or any regulation, standard, permit or order issued or adopted thereunder.

#### **PARTIES BOUND**

This Citation shall apply to and be binding upon the System, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

#### **SEVERABILITY**



The directives of this Citation are severable, and the System shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

#### FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.

Janice M. Oakley  
Janice M. Oakley, P.E., Sonoma District Engineer  
Division of Drinking Water  
STATE WATER RESOURCES CONTROL BOARD

January 5, 2019  
Date



#### Appendices (4):

1. Applicable Statutes and Regulations
2. Compliance Certification Form
3. Lead and Copper Reporting Form
4. Initial Water Quality Parameter Monitoring and Entry Point Lead and Copper Sample Data Sheet

Certified Mail No. 7016 0910 0001 2050 1164

**APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS FOR  
CITATION NO. 02\_18\_19C\_007  
Lead and Copper Monitoring and Reporting Violation**

*NOTE: The following language is provided for the convenience of the recipient, and cannot be relied upon as the State of California's representation of the law. The published codes are the only official representation of the law. Regulations related to drinking water are in Titles 22 and 17 of the California Code of Regulations. Statutes related to drinking water are in the Health & Safety Code, the Water Code, and other codes.*

**California Health and Safety Code (CHSC):**

**Section 116271 states in relevant part:**

(a) The state board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:

- (1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).
- (2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.
- (3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.
- (4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).
- (5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.
- (6) Chapter 7 (commencing with Section 116975).
- (7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).
- (8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).
- (9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.
- (10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).
- (11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).
- (12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).

(b) The state board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to "department," "state department," or "director" regarding a function transferred to the state board shall refer to the state board. This section does not impair the authority of a local health officer to enforce this chapter or a county's election not to enforce this chapter, as provided in Section 116500.

- (k)
- (1) The state board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.
  - (2) The deputy director is delegated the state board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are deemed decisions and actions taken by the state board, but are not subject to reconsideration by the state board except as provided in Section 116540. Decisions and actions of the deputy director taken pursuant to Article 8 (commencing with Section 116625) and Article 9 (commencing with Section 116650) are deemed decisions and actions taken by the state board, but any aggrieved person may petition the state board for reconsideration of the decision or action. This subdivision is not a limitation on the state board's authority to delegate any other powers and duties.

**Section 116275 states in relevant part:**

(c) "Primary drinking water standards" means:

- (1) Maximum levels of contaminants that, in the judgment of the state board, may have an adverse effect on the health of persons.
- (2) Specific treatment techniques adopted by the state board in lieu of maximum contaminant levels pursuant to subdivision (j) of Section 116365.
- (3) The monitoring and reporting requirements as specified in regulations adopted by the state board that pertain to maximum contaminant levels.

**Section 116577. Enforcement fee states:**

(a) Each public water system shall reimburse the state board for actual costs incurred by the state board for any of the following enforcement activities related to that water system:

- (1) Preparing, issuing, and monitoring compliance with, an order or a citation.
- (2) Preparing and issuing public notification.
- (3) Conducting a hearing pursuant to Section 116625.

(b) The state board shall submit an invoice for these enforcement costs to the public water system that requires payment before September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the state board. The costs set forth in the invoice shall not exceed the total actual costs to the state board of enforcement activities specified in this section.

(c) Notwithstanding the reimbursement of enforcement costs of the local primacy agency pursuant to subdivision (a) of Section 116595 by a public water system under the jurisdiction of the local primacy agency, a public water system shall also reimburse enforcement costs, if any, incurred by the state board pursuant to this section.

(d) "Enforcement costs," as used in this section, does not include "litigation costs" pursuant to Section 116585.

(e) The state board shall not be entitled to enforcement costs pursuant to this section if a court determines that enforcement activities were in error.

(f) Payment of the invoice shall be made within 90 days of the date of the invoice. Failure to pay the invoice within 90 days shall result in a 10-percent late penalty that shall be paid in addition to the invoiced amount.

(g) The state board may, at its sole discretion, waive payment by a public water system of all or any part of the invoice or penalty.

**Section 116625 (Revocation and suspension of permits) states:**

(a) The state board, after providing notice to the permittee and opportunity for a hearing, may suspend or revoke any permit issued pursuant to this chapter if the state board determines pursuant to the hearing that the permittee is not complying with the permit, this chapter, or any regulation, standard, or order issued or adopted thereunder, or that the permittee has made a false statement or representation on any application, record, or report maintained or submitted for purposes of compliance with this chapter. If the permittee does not request a hearing within the period specified in the notice, the state board may suspend or revoke the permit without a hearing. If the permittee submits a timely request for a hearing, the hearing shall be before the state board or a member of the state board, in accordance with Section 183 of the Water Code and the rules for adjudicative proceedings adopted under Section 185 of the Water Code. If the permit at issue has been temporarily suspended pursuant to subdivision (b), the notice shall be provided within 15 days of the effective date of the temporary suspension order. The commencement of the hearing under this subdivision shall be as soon as practicable, but no later than 60 days after the effective date of the temporary suspension order, unless the state board grants an extension of the 60 day period upon request of the permittee.

(b) The state board may temporarily suspend any permit issued pursuant to this chapter before any hearing when the action is necessary to prevent an imminent or substantial danger to health. The state board shall notify the permittee of the temporary suspension and the effective date of the temporary suspension and, at the same time, notify the permittee that a hearing has been scheduled. The hearing shall be held as soon as possible, but not later than 15 days after the effective date of the temporary suspension unless the state board grants an extension of the 15 day period upon request of the permittee, and shall deal only with the issue of whether the temporary suspension shall remain in place pending a hearing under subdivision (a). The hearing shall be conducted under the rules for adjudicative proceedings adopted by the state board under Section 185 of the Water Code. The temporary suspension shall remain in effect until the hearing under this subdivision is completed and the state board has made a final determination on the temporary suspension, which shall be made within 15 days after the completion of the hearing unless the state board grants an extension of the 15 day period upon request of the permittee. If the determination is not transmitted within 15 days after the hearing is completed, or any extension of this period requested by the permittee, the temporary suspension shall be of no further effect. Dissolution of the temporary suspension does not deprive the state board of jurisdiction to proceed with a hearing on the merits under subdivision (a).

**Section 116650 states in relevant part:**

(a) If the state board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the state board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The state board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation and shall be in addition to any liability or penalty imposed under any other law.

**Section 116701 (Petitions to Orders and Decisions) states:**

(a)

(1) Within 30 days of issuance of an order or decision under authority delegated to an officer or employee of the state board under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration.

(2) Within 30 days of issuance of an order or decision under authority delegated to an officer or employee of the state board under Section 116540, the applicant may petition the state board for reconsideration.

(3) Within 30 days of final action by an officer or employee of the state board acting under delegated authority, the owner of a laboratory that was the subject of the final action may petition the state board for reconsideration of any of the following actions:

(A) Denial of an application for certification or accreditation under Section 100855.

(B) Issuance of an order directing compliance under Section 100875.

(C) Issuance of a citation under Section 100880.

(D) Assessment of a penalty under subdivision (e) of Section 100880.

(b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order or decision was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.

(c) The evidence before the state board shall consist of the record before the officer or employee who issued the order or decision and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.

(d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.

(e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision subject to the petition for reconsideration.

(f) If an order or decision is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 100920.5 or 116700.

**California Code of Regulations (CCR), Title 22:**

**Section 64463.7 (Tier 3 Public Notice) states:**

(a) Each water system shall give public notice pursuant to this section if any of the following occurs:

(1) Monitoring violations;

(2) Failure to comply with a testing procedure, except where a Tier 1 public notice is required pursuant to section 64463.1 or the State Board determines that a Tier 2 public notice is required pursuant to section 64463.4; or

(3) Operation under a variance or exemption.

(b) Each water system shall give the public notice within one year after it learns of the violation or begins operating under a variance or exemption.

(1) The water system shall repeat the public notice annually for as long as the violation, variance, exemption, or other occurrence continues.

(2) Posted public notices shall remain in place for as long as the violation, variance, exemption, or other occurrence continues, but in no case less than seven days.

(3) Instead of individual Tier 3 public notices, a water system may use an annual report detailing all violations and occurrences for the previous twelve months, as long as the water system meets the frequency requirements specified in this subsection.

(c) Each water system shall deliver the notice in a manner designed to reach persons served within the required time period, as follows:

(1) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by

(A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and

(B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):

1. Publication in a local newspaper;

2. Posting in conspicuous public places served by the water system, or on the Internet; or

3. Delivery to community organizations.



(2) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by:

- (A) Posting in conspicuous locations throughout the area served by the water system; and
- (B) Using one or more of the following methods to reach persons not likely to be reached by a posting:
  1. Publication in a local newspaper or newsletter distributed to customers;
  2. E-mail message to employees or students;
  3. Posting on the Internet or intranet; or
  4. Direct delivery to each customer.

(d) Community and nontransient-noncommunity water systems may use the Consumer Confidence Report pursuant to sections 64480 through 64483, to meet the initial and repeat Tier 3 public notice requirements in subsection 64463.7(b), as long as the Report meets the following:

- (1) Is given no later than one year after the water system learns of the violation or occurrence;
- (2) Includes the content specified in section 64465; and
- (3) Is distributed pursuant to paragraph (b)(1) and (2) or subsection (c).

**Section 64465 (Public Notice Content and Format) states in relevant part:**

(b) A Tier 3 public notice for a water system operating under a variance or exemption shall include the elements in this subsection. If a water system has violated its variance or exemption conditions, the public notice shall also include the elements in subsection (a).

- (1) An explanation of the reasons for the variance or exemption;
- (2) The date on which the variance or exemption was issued;
- (3) A brief status report on the steps the water system is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption;
- (4) A notice of any opportunity for public input in the review of the variance or exemption.

(c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:

- (2) For a Tier 2 or Tier 3 public notice:
  - (A) The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and
  - (B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:
    1. Information in the appropriate language(s) regarding the importance of the notice; or
    2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and
- (3) For a public water system subject to the Dymally-Alatorre Bilingual Services Act, Chapter 17.5, Division 7, of the Government Code (commencing with section 7290), meeting the requirements of this Article may not ensure compliance with the Dymally-Alatorre Bilingual Services Act.

(d) Each public notice given pursuant to this article shall:

- (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
- (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
- (3) Not contain language that minimizes or contradicts the information being given in the public notice.

**Appendix 64465-D. Health Effects Language – Inorganic Contaminants states in relevant part:**

Contaminant	Health Effects Language
Lead	Infants and children who drink water containing lead in excess of the action level may experience delays in their physical or mental development. Children may show slight deficits in attention span and learning abilities. Adults who drink this water over many years may develop kidney problems or high blood pressure.
Copper	Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time may experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years may suffer liver or kidney damage. People with Wilson's Disease should consult their personal doctor.

**Section 64481 (Content of the Consumer Confidence Report) states in relevant part:**

(g) For the year covered by the report, the Consumer Confidence Report shall note any violations of paragraphs (1) through (7) and give related information, including any potential adverse health effects, and the steps the system has taken to correct the violation.

- (1) Monitoring and reporting of compliance data.

**Section 64673 (Small and Medium-size Water System Requirements) states in relevant part:**

- (a) The requirements in this section are applicable to all small and medium-size water systems.
- (b) Each small and medium-size system shall conduct standard tap sampling for lead and copper pursuant to section 64675 (General Requirements for Tap Sampling for Lead and Copper). Tap sampling frequency may be reduced pursuant to section 64675.5 (Tap Sampling Frequency).
- (c) A small or medium-size system with an action level exceedance shall take the following steps:
- (1) Monitor WQPs beginning with the first period after the exceedance, pursuant to section 64681 (Initial WQP Monitoring).
  - (2) Proceed with subparagraphs (A) through (E) if a corrosion control study is required by the Department based on a review of the system's water quality, distribution system, water treatment, and system features. If such a study is required, the Department will notify the system in writing within 12 months of the action level exceedance.
    - (A) Complete the study, pursuant to section 64683 (Corrosion Control Study Procedure), within eighteen months of being notified of the requirement; the system will be notified of the Department's designation within six months of the study's completion;
    - (B) Begin installation of the CCT designated by the Department, pursuant to section 64684 (CCT Installation and Operation), within twelve months of being notified of the Department's designation;
    - (C) Complete CCT installation and begin operation within 24 months of the designation;
    - (D) Complete two periods of standard tap sampling pursuant to section 64675 (General Requirements for Tap Sampling for Lead and Copper) and two periods of WQP monitoring pursuant to section 64682 (WQP Monitoring After CCT Installation) within 36 months of the designation; and
    - (E) Monitor WQPs and operate in compliance with the WQP levels specified by the Department pursuant to section 64684 (CCT Installation and Operation), beginning no later than within 42 months of the designation.
  - (3) If the Department does not require a corrosion control study, the system shall submit to the Department, within six months of the action level exceedance, a written recommendation for CCT. The Department may require the system to conduct additional WQP monitoring to assist in the review of the CCT recommendation. The Department will designate CCT and notify the system in writing within the following timeframes; the system shall then comply with paragraphs (2)(B) through (E):
    - (A) For medium-size systems, within 12 months of the exceedance, and
    - (B) For small-size systems, within 18 months of the exceedance;
  - (4) Monitor source waters, pursuant to article 6 (Source Water Requirements for Action Level Exceedances) of this chapter;

**Section 64675. General Requirements for Tap Sampling for Lead and Copper states:**

- (a) During each period, each system shall conduct standard tap sampling by collecting one sample from the number of sites based on the number of people served specified in table 64675-A under Standard Tap Sampling.
- (b) During each period, each system conducting reduced tap sampling shall collect at least one sample from the number of sites based on the number of people served specified in table 64675-A under Reduced Tap Sampling, as follows:
- (1) The sites shall be representative of the sites required for standard tap sampling.
  - (2) The samples shall be collected during the months of June, July, August, or September, unless the Department approves an alternate set of four months based on a review of the system's operations and lead and copper data, in which case the system shall initiate sampling during the alternate set of four months when directed in writing to do so by the Department, as follows:
    - (A) No later than 21 months after the previous period, if sampling annually, or
    - (B) No later than 45 months after the previous period, if sampling triennially.

**Table 64675-A  
Lead and Copper Tap Sampling Sites**

System Size	Standard Tap Sampling	Reduced Tap Sampling
	(Minimum Number of Sites)	
>100,000	100	50
10,001 to 100,000	60	30
3,301 to 10,000	40	20
501 to 3,300	20	10
101 to 500	10	5
<101	5	5

- (c) Sample sites shall be selected pursuant to section 64676 (Sample Site Selection).

**Section 64675.5. Tap Sampling Frequency states:**

(a) A system shall conduct standard tap sampling for two consecutive periods; thereafter, tap sampling frequency may be reduced pursuant to section 64675 (General Requirements for Tap Sampling for Lead and Copper) as follows:

(1) If a system has 90<sup>th</sup> percentile levels that do not exceed 0.005 mg/L for lead and 0.65 mg/L for copper for two consecutive periods, it may reduce the sampling to once every three years at the reduced number of sites;

(2) For systems that do not meet the criteria in paragraph (1), after two consecutive periods with no action level exceedance, the frequency may be reduced to annually at the reduced number of sites, if the system receives written approval from the Department based on its review of the system's data. After sampling for three years (including the initial sampling year) with no action level exceedance, the frequency may be reduced to once every three years at the reduced number of sites, if the system receives written approval from the Department.

(b) If a system demonstrates for two consecutive periods that the difference between the 90<sup>th</sup> percentile tap sampling lead level and the highest source water monitoring result for each period is less than the reporting level for purposes of reporting (DLR), pursuant to subsections 64678(a), (b), and (c) or that the source water lead levels are below the method detection level of 0.001 mg/L and the 90<sup>th</sup> percentile lead level is equal to or less than the DLR for each period, the system shall conduct tap sampling once every three years.

**Section 64680. General WQP Monitoring Requirements.**

(a) WQP tap monitoring shall be:

(1) Representative of water quality throughout the distribution system, by considering the number of persons served, the different sources of water and treatment methods employed, and seasonal variability;

(2) Not restricted to sites targeted for lead and copper sampling; and

(3) Include two samples for each applicable WQP during each period, from the standard number of sites, based on the number of persons served, specified in table 64680-A.

**Table 64680-A**  
**WQP Tap Monitoring Sites**

System Size	Standard Tap Monitoring	Reduced Tap Monitoring
(Number People Served)		(Minimum Number of Sites)
>100,000	25	10
10,001 to 100,000	10	7
3,301 to 10,000	3	3
501 to 3,300	2	2
101 to 500	1	1
<101	1	1

(b) Initial WQP monitoring at the entry point(s) to the distribution system shall be two samples for each applicable WQP at each entry point from locations representative of each source after treatment. After the installation of CCT, only one sample is required at each entry point. If a system draws water from more than one source and the sources are combined before distribution, the system shall sample at each entry point during normal operating conditions.

**Section 64681 Initial WQP Monitoring.**

For initial WQP monitoring, each system shall monitor for the following WQPs, pursuant to section 64680 (General WQP Monitoring Requirements):

(a) pH;

(b) Alkalinity;

(c) Orthophosphate, when an inhibitor containing a phosphate compound is used;

(d) Silica, when an inhibitor containing a silicate compound is used;

(e) Calcium;

(f) Conductivity; and

(g) Water temperature.

**Section 64685 (Source Water Monitoring and Treatment Designation) states in relevant part:**

(a) Within six months of an action level exceedance, a system shall:

(1) Collect one lead and copper source water sample from each entry point to the distribution system that is representative of the source or combined sources and is collected after any treatment, if treatment is applied before distribution;

**Section 64690.10 (Data Reporting) states in relevant part:**

Each system shall report the following within the first 10 days after the end of each period during which such sampling or monitoring was conducted:

(a) For lead and copper tap sampling:

(1) The results of all tap samples including the location of each site and the associated tier criteria from section 64676 (Sample Site Selection);

- (2) The 90th percentile lead and copper concentrations calculated pursuant to section 64678 (Determination of Exceedances of Lead and Copper Action Levels); and
  - (3) With the exception of the first period of tap sampling, an identification of any site that was not sampled during previous periods, along with an explanation of why the sampling site was changed;
- (b) For WQP monitoring, the results of all samples collected and analyzed pursuant to article 4 (WQP Monitoring) of this chapter;
- (c) For source water monitoring:
- (1) The results for all samples related to source water collected and analyzed under article 6 (Source Water Requirements for Action Level Exceedances) of this chapter;



## APPENDIX 2. COMPLIANCE CERTIFICATION

Citation Number: 02\_18\_19C\_007

Name of Water System: Huckleberry Mutual Water Company

System Number: 4900634

### Certification

I certify that the users of the water supplied by this water system were notified of the lead and copper monitoring and reporting violation of California Code of Regulations, Title 22, Sections 64675 and 64690.10 for the compliance period of July – December 2018 and the required actions listed below were completed.

Required Action	Date Completed
<i>(Citation Directive 2) Lead and Copper Tap Monitoring in May 2019</i>	
<i>(Citation Directive 3) Complete and Submit Lead and Copper Reporting Form, a copy of the lab report; a completed Proof of Consumer Notification; and a copy of the notice</i>	
<i>(Citation Directive 4) Water Quality Parameter Monitoring and complete and submit the results with a copy of lab report</i>	
<i>(Citation Directive 5) Lead and Copper monitoring at entry point to the distribution system and complete and submit the results with a copy of lab report</i>	
<i>(Citation Directive 6) Public Notification</i> <i>Method(s) Used:</i>	
<i>(Citation Directive 6) Consumer Confidence Report Certification</i>	

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**Attach a copy of the public notice distributed to the water system's customers with a copy of the Lead and Copper Reporting Form.**

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD,  
DIVISION OF DRINKING WATER, NO LATER THAN OCTOBER 10, 2019**

**Disclosure:** Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.

## APPENDIX 3: LEAD AND COPPER REPORTING FORM



### State Water Resources Control Board

#### Division of Drinking Water

#### Lead and Copper Tap Sample Results Reporting Form

*This form must be submitted by the public water system to the regulating entity (DDW District Office or County Agency) for each round of lead and copper sampling*

Report Date: (mm/dd/yyyy)	
Water System Name:	
Water System Number:	
Water System Type:	<input type="radio"/> Community <input type="radio"/> Non-Transient, Non Community
Monitoring Frequency:	<input type="radio"/> 6-month <input type="radio"/> Annual <input type="radio"/> Triennial
# of Samples Required:	
# of Samples Reported:	
	<b>90<sup>th</sup> Percentile Level (mg/L)</b>
Lead:	
Copper:	

				Result	
	Sample Date	Sample Site Location/Address	Tier 1, 2, 3, or R	Lead (mg/L)	Copper (mg/L)
01					
02					
03					
04					
05					
06					
07					
08					
09					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					

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### Sampling Site Change

Each round of sampling should be conducted at the same sampling sites. If an original sampling site is not available, you should collect a tap sample from another site meeting the same Tier criteria as the original site.

You must complete/submit the **Lead and Copper Tap Sampling Site Change** form.

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### Notification of Results

As required by *40 Code of Federal Regulations Section 141.85(d)*, within 30 days of learning of the tap monitoring results, I notified the participants, by mailing or by another method approved by the State, of the lead sample results from their individual taps, provided an explanation of the health effects of lead, listed steps the consumer could take to reduce exposure to lead, provided contact information for the water utility, the maximum contaminant level goal for lead, action level for lead, and any definitions.

Notification was done \_\_\_\_\_ by \_\_\_\_\_  
(date)

☐ Direct Mail  
☐ Posting in public area (NTNC systems only)  
☐ Other (please specify below) \_\_\_\_\_

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For general information on lead and copper tap sampling, you can refer to the **SWRCB Lead and Copper Tap Sample Results Guidance Document**. If you have any questions or comments, please contact your regulating entity (Division of Drinking Water) at [dwpdist18@waterboards.ca.gov](mailto:dwpdist18@waterboards.ca.gov).

SIGNATURE:	DATE:
NAME (Print):	TITLE:

## INITIAL WATER QUALITY PARAMETER MONITORING AND ENTRY POINT LEAD AND COPPER SAMPLE DATA SHEET

Collect water quality parameter (WQP) samples at the entry point to the distribution system during normal operating conditions. These samples must be collected for two consecutive calendar quarters and in the same month of each quarter (if the first samples were collected in March, the second round of samples would be collected June.) **In addition**, collect a sample for lead and copper at the entry point (or points) to the distribution system. If treatment is installed on the system, the entry point is after treatment.

System Name: \_\_\_\_\_

Date of Lead or Copper Action Level Exceedance: \_\_\_\_\_

Distribution System WQP Location (s): \_\_\_\_\_

### ENTRY POINT TO DISTRIBUTION WQP MONITORING RESULTS

	First Quarter	Second Quarter
Date samples collected		
pH (field or lab)		
Alkalinity (mg/L)		
Calcium (mg/L)		
Conductivity (uhMos)		
Field temperature		
Total Dissolved Solids (mg/L)		

### LEAD AND COPPER MONITORING: SOURCE/ENTRY POINT TO DISTRIBUTION SYSTEM

	Representative of Source Water(s)
Date samples collected	
Lead, mg/L	
Copper, mg/L	

Operator Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Submit this completed form to the Division by \_\_\_\_\_.